

REMARKS

Claims 10-18 are pending.

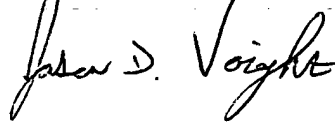
Initially, applicants have not received a signed copy of the IDS Form PTO-1449 filed with the application. Applicants believe all of the listed references have been filed in this application or in parent application 09/341,524.

Claims 8-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over De Beer et al. (CA 114:57538, abstract of ZA 8,903,661) in view of Garst et al. (WO 95/28410). Applicants respectfully traverse this rejection. Applicants previously argued that Table 3 of the instant specification shows unexpected results which overcome any *prima facie* case of obviousness. In the Office action of December 30, 2002, the Examiner argued that the data was not a side-by-side comparison and requested applicants to explain the data. Accordingly, applicants specifically direct the Examiner to Comparative Example 4 and Examples 15 and 16 of Table 3. In these Examples, the level of active compound is 7.3% by weight. In Examples 15 and 16, alkyl polyglucosides are used as the adjuvant, but in Comparative Example 4, they are not. Thus, according to the invention, an increase the relative level of active SU from 48 to 62 and 70 is achieved. Such improved storage stability would not have been expected from the cited art.

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Respectfully submitted,

KEIL & WEINKAUF

A handwritten signature in cursive script, reading "Jason D. Voight".

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